

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**DIANE M. ROSADO SANTOS**

Plaintiff

v.

**BOSTON SCIENTIFIC PUERTO RICO  
LLC AND APPLEONE INC.**

Defendants

**CIVIL NO. 24-1437**

**State Court Case No.: DO2024CV00175**

**RE: Employment Disability Discrimination**

**NOTICE OF REMOVAL**

**PLEASE TAKE NOTICE** that pursuant to 28 U.S.C. §1446, codefendant Boston Scientific del Caribe, Inc. (hereinafter, “Boston Scientific”) hereby invoke this Court’s jurisdiction pursuant to 28 U.S.C. §§1331 and 1441, and state the following grounds for removal:

1. Plaintiff Diane M. Rosado Santos (“Plaintiff”) filed a suit on July 31, 2024, in the in the captioned case *Diane M. Rosado Santos v. Boston Scientific Puerto Rico LLC and AppleOne Inc.*, Civil No. DO2024CV00175 before the Commonwealth of Puerto Rico, Court of First Instance, Bayamón Superior Part (the “Local Action”).
2. Plaintiff served Boston Scientific on August 20, 2024.
3. Pursuant to 28 U.S.C. §1446(a), a true and accurate copy of the operative Complaint, summons served and related Orders, are attached hereto as **Exhibit 1**.
4. This Notice of Removal (“Notice”) is being filed within thirty (30) days of receipt by Boston Scientific of the Local Action in accordance with 28 U.S.C. §1446(b). The only other named codefendant in the Local Action – AppleOne Inc.- has consented to this removal and will be filing a motion to that effect.

5. Boston Scientific has not served any answer or responsive pleading to the Complaint or made any appearance or argument in the Local Action.

6. Venue lies in the United States District Court for the District of Puerto Rico pursuant to 28 U.S.C. §§1441(a) and 1391(a) because this Court is the District Court of the United States for the district embracing the place where this action is currently pending.

7. Removal is proper under 28 U.S.C. §1441(a) because this Court has original jurisdiction of this action pursuant to 28 U.S.C. §1331, as this action involves claims that relate to the laws of the United States – specifically, the Americans with Disabilities Act of 1990 (“ADA”), 42 U.S.C. §12101, *et seq.*, and Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.*

8. Plaintiff alleges that supposedly Boston Scientific discriminated and denied her a reasonable accommodation as required by ADA and its local counterpart Puerto Rico Act No. 44 of July 2, 1985, P.R. Laws Tit. Ann. 1 §505 *et seq.* Plaintiff is also seeking remedies under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq* and Puerto Rico Act No. 100 of June 30, 1959, P.R. Laws Tit. Ann. 29 §146 *et seq.*

9. Boston Scientific submits this Notice without waiving any defenses to the claims asserted by Plaintiff or conceding that Plaintiff has pled claims upon which relief can be granted.

10. This Notice will be filed promptly with the Local Court, as required by 28 U.S.C. §1446(d).

11. By copy of this document and in accordance with the Certificate of Service, Boston Scientific is providing notice to all Parties in this action of the filing of this Notice pursuant to 28 U.S.C. §1446(d).

12. An informative motion will be promptly filed the captioned case *Diane M. Rosado Santos v. Boston Scientific Puerto Rico LLC and AppleOne Inc.*, Civil No. DO2024CV00175

before the Commonwealth of Puerto Rico, Court of First Instance, Bayamón Superior Part, pursuant to 28 U.S.C. §1446(d).

**WHEREFORE**, Defendant Boston Scientific give notice that the referenced action pending in the Commonwealth of Puerto Rico, Court of First Instance, Superior Part of Bayamón, Civil Number DO2024CV00175, has been removed to this Court.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 19<sup>th</sup> day of September 2024.

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del Caribe, Inc.*

**CERTIFICATE OF SERVICE**

**WE HEREBY CERTIFY** that on September 19<sup>th</sup>, 2024, we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to the following parties by email and certified mail with return receipt to: **Leonardo Delgado Navarro, Esq.**, 8 Arecibo Street, Office B1, San Juan, Puerto Rico 00917 ([leonardodelgadonavarro@gmail.com](mailto:leonardodelgadonavarro@gmail.com)) and **Enrique A. Báez Godínez, Esq.**, 1457 Humacao Street, Apt. B-1, San Juan, Puerto Rico 00909 ([baez\\_law@yahoo.com](mailto:baez_law@yahoo.com)). Parties may access this filing through the Court's system.

By: s/Carlos J. Saavedra Gutiérrez  
Carlos J. Saavedra Gutiérrez  
s/Tatiana Leal González  
Tatiana Leal González